

KENTUCKY REAL ESTATE APPRAISERS BOARD

TYPE OF MEETING

Regular Meeting

DATE AND LOCATION

August 27, 2010 – 9:00 a.m. – 135 W. Irvine Street, Suite 301, Richmond, KY

PRESIDING OFFICER

Dorsey Hall, Chair

ROLL CALL

Present:

Dorsey Hall, Chair
Sam E. Blackburn, Vice Chair
G. Herbert Pritchett, Board Member
Harold Brantley, Board Member
Kathy Mayfield, Board Member

Present Also:

Larry Disney, Executive Director
Angie Thomas, Staff Assistant
James Grawe, Board Counsel

Absent:

Dennis Badger, Investigator

Chair, Dorsey Hall opened the meeting.

Motion by Herbert Pritchett, second by Sam Blackburn and the Board unanimously approved the June 17, 2010 and July 13, 2010 minutes.

EDUCATION

Motion by Sam Blackburn, second by Kathy Mayfield and the Board unanimously agreed to approve the following education courses for fiscal year 2010-2011:

- (1) Dynasty School – One online qualifying education:
 - (a) National USPAP Equivalent – 15 hours online QE
- (2) ASFMRA – One classroom qualifying education:
 - (a) Eminent Domain – 22 hours classroom QE
- (3) Career Webschool – One online qualifying education and one online continuing education courses:
 - (a) An FHA Single Family Appraisal – 15 hours online QE
 - (b) An FHA Single Family Appraisal – 14 hours online CE
- (4) McKissock – One online continuing education course:
 - (a) Introduction to Legal Descriptions – 2 hours online CE
- (5) Appraisal Institute – Three classroom CE and one online QE courses:
 - (a) Thinking Outside the Form – 7 hours classroom CE
 - (b) Analyzing Tenant Credit Risk & Commercial Lease Analysis – 7 hours classroom CE
 - (c) Advanced Concepts & Case Studies – 38 hours classroom CE
 - (d) Online General Appraiser Income Approach, Part 2 – 30 hours online QE/CE

EXPERIENCE REVIEW

Motion by Harold Brantley, second by Herbert Pritchett and the Board unanimously agreed to accept staff recommendation and approved the following experience:

- (1) Ben Bolinger – Approve experience for Certified General. Mr. Bolinger must complete and successfully pass the Certified General exam.

Motion by Sam Blackburn, second by Harold Brantley and the Board unanimously agreed to accept staff recommendation and reject the following experience:

- (1) Thomas Christie – Mr. Christie will be required to submit two additional non-residential appraisal reports.
- (2) Scott Tranter – Mr. Tranter will be required to submit two additional residential and two additional non-residential appraisal reports.

CERTIFICATION/LICENSURE

Motion by Herbert Pritchett, second by Kathy Mayfield and the Board voted to approve a total of thirteen (13) individuals for certification/licensure.

- (1) Roland Bradley Boyd – Associate
- (2) Lauren E. Cloud – Associate
- (3) Dale L. Croswait – Associate
- (4) Kevin E. Grimes – Associate
- (5) Dustin H. Hawkins - Associate
- (6) David H. Hollowell, III – Certified Residential (Ohio)
- (7) Ricky L. Lawson – Associate
- (8) Bryan P. Little – Associate
- (9) John Dylan McCalister – Associate
- (10) Robin M. Meissner – Certified General (Arizona)
- (11) Sarah C. Richards – Certified Residential (Indiana)
- (12) Russell A. Roberts – Certified General
- (13) Justin S. Stevens - Associate

- B. Dustin H. Hawkins – Applicant applying for Associate license with prior conviction – Motion by Sam Blackburn, second by Kathy Mayfield and the Board voted unanimously to approve the applicant for Associate license.
- C. John Dylan McCalister – Applicant applying for Associate license with prior Convictions – Motion by Herbert Pritchett, second by Sam Blackburn and the Board voted unanimously to approve the applicant for Associate license.
- D. Robin M. Meissner – Application applying for Certified General reciprocal license from Arizona – Motion by Sam Blackburn, second by Harold Brantley and the Board voted unanimously to approve the application for Certified General.
- E. Marshall Flynn – Motion by Sam Blackburn, second by Harold Brantley and the Board voted unanimously to deny the request of Mr. Flynn to reinstate his certification. The Board agreed that Mr. Flynn shall serve the remainder of his two year suspension.
- F. Jason J. Krentler – Applicant applying for Certified General with pending Complaint – Motion by Sam Blackburn, second by Harold Brantley and the Board voted unanimously to hold the application of Mr. Krentler until Florida has settled their case and Mr. Krentler will notify the Board at such time the case has been closed. Mr. Krentler will be notified that he can apply for a temporary permit until further action has been settled on the case from Florida.

COMPLAINT

- A. Case Summary Flow Chart
- B. The Board was advised there have been a total of 42 cases filed for 2010.

- C. Case No. 10-17 – Motion by Herbert Pritchett, second by Sam Blackburn and the Board voted unanimously to file a formal complaint and set for a hearing.
- D. Case No. 10-03 – Motion by Sam Blackburn, second by Kathy Mayfield and the Board voted unanimously to dismiss with a letter of caution.
- E. Case No. 10-20 – Motion by Kathy Mayfield, second by Herbert Pritchett and the Board voted unanimously to dismiss the case.
- F. Case No. 10-11 – J. Christopher Bentley – Motion by Herbert Pritchett, second by Sam Blackburn and the Board voted unanimously to reject the following agreed order. The Board agreed that the fine will be raised to \$1,000 that can be paid in installments with total amount paid within six months for the date of the agreed order.
- (1) **Bentley** shall pay a \$350.00 fine with total amount due with the signed agreed order.
 - (2) **Bentley** shall complete a 7 hour 2-4 Unit Residential Appraisal Report Writing course. Said 7 hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by December 31, 2010.
 - (3) **Bentley** agrees to submit a log every six months for a period of 2 years from the date of the agreed order and the Board may review assignments from the log, if requested to do so.
 - (4) **Bentley** agrees that the Board shall not renew his certification for the 2011 renewal cycle July 1, 2011 until he has completed the requirements of the terms set out in paragraph (a) and (b) of this order.
- G. Case No. 10-10 – Randell G. Wilson – Motion by Sam Blackburn, second by Kathy Mayfield and the Board voted unanimously to accept the agreed order, whereby
- (1) **Wilson** shall pay a \$900.00 fine with total amount due with the signed agreed order.
 - (2) **Wilson** agrees to submit a log every six months for a period of 2 years from the date of the agreed order. The reports will be monitored for verification of signature.
 - (3) **Wilson** shall not supervise any Associate appraisers for a period of 2 years from the date of the agreed order.
 - (4) **Wilson** agrees that the Board shall not renew his certification for the 2011 renewal cycle July 1, 2011 until he has completed the requirements of the terms set out in paragraph (a) and (b) of this order.

H. Case No. 10-05 – David Morris – Motion by Sam Blackburn, second by Harold Brantley and the Board voted unanimously to accept the agreed order, whereby,

- (1) **Morris** shall pay a \$350.00 fine with total amount due with the signed agreed order.
- (2) **Morris** shall complete a 7 hour Appraisal Report Writing course. Said 7 hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by December 31, 2010.
- (3) **Morris** agrees to submit a log every six months for a period of 2 years from the date of the agreed order and the Board may review assignments from the log.
- (4) **Morris** shall not supervise any Associate appraisers for a period of 2 years from the date of the agreed order.
- (5) **Morris** agrees that the Board shall not renew his certification for the 2011 renewal cycle July 1, 2011 until he has completed the requirements of the terms set out in paragraph (a) and (b) of this order.

I. Case No. 09-21 – Donald Pierce – Dorsey Hall recused himself from discussion. Motion by Herbert Pritchett, second by Kathy Mayfield and the Board voted unanimously to reject the agreed order. The Board also rejected the request to substitute the required Agreed Order Course. The Board agreed the fine will be increase to \$800.00 and must complete the course per the agreed order.

- (a) **Pierce** shall pay a \$500 fine to the Board and return said payment with the signed agreed order.
- (b) **Pierce** shall complete a 15 hours qualifying education class with successful completion of the final examination. The education shall be completed in the following subject topic: 1) Sales Comparison Valuation of Small, Mixed-Use Properties. Said 15 hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by September 1, 2010.
- (c) **Pierce** agrees that the Board shall not renew his certification for the 2011 renewal cycle July 1, 2011 until he has completed the requirements of the terms set out in paragraph (a) and (b) of this order.

J. J. Case No. 09-21 – Gerald Florence. Dorsey Hall recused himself from discussion. Motion by Herbert Pritchett, second by Kathy Mayfield and the Board voted unanimously to reject the agreed order. The Board also rejected the request to substitute the required Agreed Order Course. The Board agreed the fine will be increase to \$800.00 and must complete the course per the agreed order

- (a) **Florence** shall pay a \$500 fine to the Board and return said payment with the signed agreed order.
- (b) **Florence** shall complete a 15 hours qualifying education class with successful completion of the final examination. The education shall be completed in the following subject topic: 1) Sales Comparison Valuation of Small, Mixed-Use Properties. Said 15 hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by September 1, 2010.
- (c) **Florence** agrees that the Board shall not renew his certification for the 2011 renewal cycle July 1, 2011 until he has completed the requirements of the terms set out in paragraph (a) and (b) of this order.

K. Case No. 09-60 – James Robert Lewis, Jr. – Motion by Herbert Pritchett, second by Harold Brantley and the Board voted unanimously to accept the agreed order, whereby:

- (a) **Lewis** shall complete a 15 hour Residential Market Analysis/Highest & Best Use course with successfully completion of the examination. Said 15 hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by June 30, 2011.
- (b) **Lewis** agrees that the Board shall not renew his certification for the 2011 renewal cycle July 1, 2011 until he has completed the requirements of the terms set out in paragraph (a) of this order.

L. Case 09-59 – Charles Langford – Motion by Sam Blackburn, second by Harold Brantley and the Board voted unanimously to accept the agreed order and request for extension for completion of the education to September 30, 2010, whereby respondent shall:

- (a) **Langford** agrees to pay a \$300.00 fine with the total amount due with the signed agreed order.
- (b) **Langford** shall complete a 15 hour qualifying education class, Residential Market Analysis & Sales Comparison with successful completion of the final examination. Said 15 hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by September 1, 2010.
- (c) **Langford** shall make available to the Board staff upon notice a log for a period of 3 years from the date of the agreed order and the Board absolute shall review assignments from the log for a period of three years from the date of the agreed order.
- (d) **Langford** agrees that the Board shall not renew his certification for the 2010 renewal cycle July 1, 2010 until he has completed the requirements of the terms set out in paragraph (a) of this order.

Langford also agrees that the Board shall not renew his certification for the 2011 renewal cycle July 1, 2011 until he has completed the requirements of the terms set out in paragraph (b) of this order.

- M. Case 09-61 – Keith D. Browning – Motion by Kathy Mayfield, second by Herbert Pritchett and the Board voted unanimously to accept the agreed order, whereby,
- (a) **Browning** hereby agrees that the Certified Residential Real Property Appraiser certificate number 2832 held by Mr. Browning shall be suspended from August 1, 2010 to June 30, 2011.
 - (b) If all terms of agreement below are not completed the suspension will remain in effect until all of the following items are completed:
 - (c) Shall pass the Appraiser Qualifications Board (AQB) National Certified Residential exam prior to reinstatement.

MISCELLANEOUS

The Board reviewed:

- A. Scott J. Smith – Certified Residential Appraiser Renewing with disciplinary action brought against him by the Ohio Appraisal Board – Motion by Herbert Pritchett, second by Sam Blackburn and the Board unanimously agreed to deny the renewal request of Mr. Scott Smith.
- B. Mary Lassiter – Restricted fund spending reduction for FY 2011 – Motion by Kathy Mayfield, second by Sam Blackburn and the Board voted to approve the reduction to the KREAB restricted funds.
- C. The Board reviewed the budget ending June 30, 2010. The Board made note that the investigator contract for FY 2010-2011 has been cut to \$25,000.00.
 - (1) Actual Expenses ending June 30, 2010 - \$583,130.01
 - (2) Actual Income ending June 30, 2010 - \$508,438.08
 - (3) Total in Account Carried Forward - \$561,738.35
 - (4) Budgeted amount \$622,700.00 – Actual Expense \$583,130.01 = Amount Carried forward (included in bullet item 3) - \$39,569.99
- D. Title XIV
- E. Renewals for Fiscal Year 2010 – 2011 (NO INSERT)
 - Certified General – 497
 - Certified Residential – 805
 - Licensed Real Property – 21
 - Associate – 161
 - Inactive Status – 36
 - Total Renewed June 30, 2010 – 1484 (1612 – June 30, 2009)
- F. C. Shane Kelly – Request for extension to complete agreed order requirements – Motion by Herbert Pritchett, second by Kathy Mayfield and the Board voted

unanimously to approve the extension and notify Mr. Kelly that he will not be renewed until all requirements of agreed order has been satisfied.

- G. Brian Booth – Motion by Harold Brantley, second by Kathy Mayfield and the Board accepted the final order whereby:
- Booth shall be permitted to proceed with experience review, which if approved shall result in the issuance of the certificate.
- H. Budget Ending July 31, 2010
- I. AARO Fall Conference – October 1 – 5, 2010 – Washington, DC – Motion by Sam Blackburn, second by Kathy Mayfield and the Board approved Larry Disney to attend the AARO conference.
- J. The Appraisal Foundation Legislative Update – July 15, 2010
- K. Office of the Attorney General notice of Hearing Officer Contract
- L. 2011 Board Meeting Dates – Motion by Sam Blackburn, second by Harold Brantley and the Board voted unanimously to accept the Board meeting dates with the exception of changing the January meeting to Bowling Green and the February Board meeting to Louisville.
- M. 2011 Seminar Dates and Locations
- N. Regulation Changes – Motion by Herbert Pritchett, second by Kathy Mayfield and the Board voted unanimously propose the three regulation changes to the general assembly and to appoint Larry Disney as representative of the Board.
- 201 KAR 30:050
 - 201 KAR 30:150
 - 201 KAR 30:125
- O. Housekeeping regulations

NEW BUSINESS

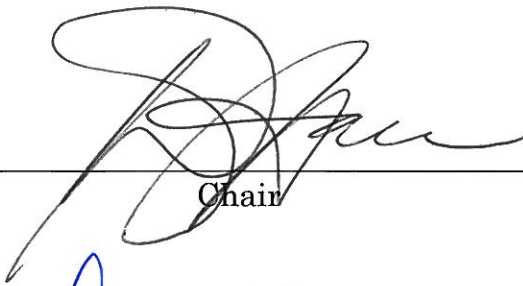
The next Board meeting is scheduled for Friday, September 17, 2010 beginning at 9:00 a.m. Central Time, at the Holiday Inn University Plaza, Bowling Green, KY.

The Board was notified that the October Board meeting will be October 22, 2010.

Motion by Harold Brantley, second by Herbert Pritchett and the Board voted unanimously to change the November Board meeting to November 10, 2010.

The Board was notified that the December Board meeting will be December 17, 2010.

Motion by Sam Blackburn, second by Harold Brantley and the Board voted unanimously to adjourn the meeting.



Chair



Staff Assistant